



General Assembly

February Session, 2016

Raised Bill No. 24

LCO No. 239

* _____SB00024APP____041916____*

Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

***AN ACT CONCERNING PROGRAM APPROVAL FOR INDEPENDENT
INSTITUTIONS OF HIGHER EDUCATION.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 10a-34 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 (a) For the purposes of this section, (1) "program of higher learning"
4 means any course of instruction for which it is stated or implied that
5 college or university-level credit may be given or may be received by
6 transfer; (2) "degree" means any letters or words, diploma, certificate
7 or other symbol or document which signifies satisfactory completion
8 of the requirements of a program of higher learning; (3) "institution of
9 higher education" means any person, school, board, association,
10 limited liability company or corporation which is licensed or
11 accredited to offer one or more programs of higher learning leading to
12 one or more degrees; (4) "license" means the authorization by the
13 Office of Higher Education to operate a program of higher learning or
14 institution of higher education for a specified initial period; (5)
15 "accreditation" means the authorization by said office to continue

16 operating a program of higher learning or institution of higher
17 education for subsequent periods, and in such periods to confer
18 specified degrees; (6) "program modification" means (A) a change in a
19 program of higher learning that does not clearly qualify as a new
20 program of higher learning or a nonsubstantive change, including, but
21 not limited to, a new program of higher learning consisting primarily
22 of course work for a previously approved program of higher learning,
23 (B) an approved program of higher learning to be offered at an off-
24 campus location, (C) a change in the title of a degree, or (D) a change in
25 the title of a program of higher learning; and (7) "nonsubstantive
26 change" means (A) a new undergraduate certificate program, within
27 an existing program of higher learning, of not more than thirty
28 semester credit hours that falls under an approved program of higher
29 learning, (B) a new baccalaureate minor of not more than eighteen
30 semester credit hours, (C) a new undergraduate option or certificate
31 program of not more than fifteen semester credit hours, or (D) a new
32 graduate option or certificate program of not more than twelve
33 semester credit hours.

34 (b) The Office of Higher Education shall establish regulations, in
35 accordance with chapter 54, concerning the requirements for licensure
36 and accreditation, such regulations to concern administration, finance,
37 faculty, curricula, library, student admission and graduation, plant and
38 equipment, records, catalogs, program announcements and any other
39 criteria pertinent thereto, as well as the periods for which licensure and
40 accreditation may be granted, and the costs and procedures of
41 evaluations as provided in subsections (c), (d) and (i) of this section.
42 Said office shall establish academic review commissions to hear each
43 appeal of a denial by said office of an application by an institution of
44 higher education for licensure or accreditation of a program of higher
45 learning or institution of higher education. For each individual appeal,
46 the executive director of said office, or the executive director's
47 designee, shall select a commission that is comprised of four higher
48 education representatives and five business and industry
49 representatives chosen from a panel of thirty-five members, who shall

50 be appointed as follows: (1) The Governor shall appoint five members;
51 (2) the speaker of the House of Representatives shall appoint five
52 members; (3) the president pro tempore of the Senate shall appoint five
53 members; (4) the majority leader of the House of Representatives shall
54 appoint five members; (5) the majority leader of the Senate shall
55 appoint five members; (6) the minority leader of the House of
56 Representatives shall appoint five members; and (7) the minority
57 leader of the Senate shall appoint five members. The executive director
58 of said office, or the executive director's designee, shall ensure that
59 each commission contains at least one member appointed by each of
60 the appointing authorities. Each appointing authority shall select both
61 higher education representatives and business and industry
62 representatives, but not more than three from either category of
63 representatives.

64 (c) No person, school, board, association or corporation shall confer
65 any degree unless authorized by act of the General Assembly. No
66 application for authority to confer any such degree shall be approved
67 by the General Assembly or any committee thereof, nor shall any such
68 authority be included in any charter of incorporation until such
69 application has been evaluated and approved by the Office of Higher
70 Education in accordance with regulations established by the Office of
71 Higher Education.

72 (d) The Office of Higher Education shall review all requests and
73 applications for program modifications, nonsubstantive changes,
74 licensure and accreditation. The office shall review each application in
75 consideration of the academic standards set forth in the regulations for
76 licensure and accreditation adopted by said office in accordance with
77 the provisions of subsection (b) of this section. Notwithstanding the
78 provisions of section 10a-34e, any application that is determined by the
79 office to be for (1) a program modification that meets all such academic
80 standards, (2) a nonsubstantive change, (3) licensure, or (4)
81 accreditation shall be deemed approved, and the office shall notify the
82 institution of such approval, not later than forty-five days from the

83 date the office receives such application without requiring any further
84 action from the applicant.

85 (e) If the executive director of the Office of Higher Education, or the
86 executive director's designee, determines that further review of an
87 application is needed due at least in part to the applicant offering
88 instruction in a new program of higher learning or new degree level,
89 then the executive director or the executive director's designee shall
90 conduct a focused or on-site review. Such applicant shall have an
91 opportunity to state any objection regarding any individual selected to
92 review an application on behalf of the executive director. For purposes
93 of this subsection, "focused review" means a review by an out-of-state
94 curriculum expert; and "on-site review" means a full team evaluation
95 by the office at the institution of higher education.

96 (f) The executive director of the Office of Higher Education, or the
97 executive director's designee, may require a focused or on-site review
98 of any program application in a health-related field where a license in
99 Connecticut is required to practice in such field.

100 (g) Any application for licensure of a new institution in this state
101 shall be subject to an on-site review upon a determination by the Office
102 of Higher Education that the application is complete and shall be
103 reviewed at the institutional level for each program as described in
104 subsection (b) of this section. Such process shall be completed not later
105 than nine months from the date said office receives the application.

106 (h) If the Office of Higher Education denies an application for
107 licensure or accreditation of a program or institution of higher
108 education, the applicant may appeal the denial not later than ten days
109 from the date of denial. The academic review commission shall review
110 the appeal and make a decision on such appeal not later than thirty
111 days from the date the applicant submits the appeal to said office.

112 (i) No person, school, board, association or corporation shall operate
113 a program of higher learning or an institution of higher education

114 unless it has been licensed or accredited by the Office of Higher
115 Education, nor shall it confer any degree unless it has been accredited
116 in accordance with this section. The office shall accept regional
117 accreditation, in satisfaction of the requirements of this subsection
118 unless the office finds cause not to rely upon such accreditation. If any
119 institution of higher education provides evidence of programmatic
120 accreditation, the office may consider such accreditation in satisfaction
121 of the requirements of this subsection and deem the program at issue
122 in the application for accreditation to be accredited in accordance with
123 this section. National accreditation for Connecticut institutions of
124 higher education accredited prior to July 1, 2013, shall be accepted as
125 being in satisfaction of the requirements of this subsection unless the
126 office finds cause not to rely on such national accreditation.

127 (j) No person, school, board, association or corporation shall use in
128 any way the term "junior college" or "college" or "university" or use
129 any other name, title, literature, catalogs, pamphlets or descriptive
130 matter tending to designate that it is an institution of higher education,
131 or that it may grant academic or professional degrees, unless the
132 institution possesses a license from, or has been accredited by, the
133 office, nor shall it offer any program of higher learning without
134 approval of the Office of Higher Education.

135 (k) Accreditation of any program or institution or authority to
136 award degrees granted in accordance with law prior to July 1, 1965,
137 shall continue in effect.

138 (l) Notwithstanding the provisions of subsections (b) to (j),
139 inclusive, of this section and subject to the authority of the State Board
140 of Education to regulate teacher education programs, new and revised
141 academic programs proposed by an independent institution of higher
142 education, as defined in section 10a-173, shall not be subject to
143 approval by the Office of Higher Education, provided (1) the
144 institution maintains eligibility to participate in financial aid programs
145 governed by Title IV, Part B of the Higher Education Act of 1965, as
146 amended from time to time, and (2) the institution has been located in

147 the state and accredited as a degree-granting institution for ten years
148 or more by a regional accrediting association recognized by the
149 Secretary of the United States Department of Education and maintains
150 such accreditation status. All institutions that are exempt from
151 program approval by the Office of Higher Education under this
152 subsection shall annually file with said office a list and brief
153 description of any new programs introduced by the institution in the
154 preceding academic year and any existing programs discontinued by
155 the institution in the preceding academic year.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2016</i>	10a-34
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HED *Joint Favorable*

APP *Joint Favorable*